

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

March 27, 2013

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Jackson (W6)

Absent: Councilor Chris Case (W5)

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on March 14, 2013 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Rabideau
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending March 27, 2013 in the amount of \$ 255,031.43 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Jackson
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report from the Building Inspector's Office January 2 – March 25, 2013
- Statements of cash receipts from the Library from March 1 - March 13, 2013
- Report of Public Hearing held by the Zoning Board of Appeals on March 18, 2013

RESOLVED: That the reports as listed are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 1,300,489.18 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Carpenter
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Carol Klepper 17 Couch Street said I wanted to address the Common Council about a chronic problem. It's been a chronic problem for at least 5 years. That has to do with not only unleashed dogs. But dogs that are not only deemed aggressive in the New York Statutory code of law pertaining to aggressive dogs that either seriously injure meaning that they would kill, permanently disfigure an animal or a human. But also dogs that attacked humans or other animals including domestic animals, farm animals etc. I think a lot of people on the board are familiar with the code of 261 in New York State. Because I know that a few years ago this was a big issue relating to some aggressive breeds; Pit Bulls, Rottweiler's, etc. And I know that the city tried to create an ordinance that would not be breed specific but that would address the issue pertaining to any animal that would pose a threat or had the propensity to have a nature to be aggressive. I did speak to John Clute earlier and I've only had a few hours to research this because we run a business and we're all very busy. But the ordinance that we have right now on the books relates to animals or dogs that are not leashed and are not under the control of the owner. And therefore, the City Police, because we don't have an animal control officer right now, could thereby have that owner brought to court and then ticketed as a violation up to \$250 fine. The bigger issue is that it's not only that the dog is unleashed at this point but it's an animal that has attacked another animal or human and thereby not only causing a threat to that human and that animal but other people. So I spoke to the dog officer control at the Town of Chesterfield who also oversees Keeseville. And I also spoke to Clifton Park and Saratoga. And they have ordinances that they've written in to law for their cities and townships that help not only the dog control officers but the police department that deal with this situation. Because when I spoke to John Clute he said that when this came up a few years ago the Council looked at the New York State Statuary of code that says that and I will quote this because I think it will help bring it back to home that "a dangerous dog is one that is without justification either attacked and injured or kills a person, companion animal, farm animal or domestic animal or behaves in a manner which is a reasonable person would believe poses a serious or unjustified imminent threat of serious physical injury or death to one or more foregoing." And he goes on to talk about including medical costs and any kind of harm that might cause that person or animal. But, for example in the Town of Keeseville, a biker was bicycling. A dog came after that bicyclist and the bicyclist fell down the dog went after the bicyclist but didn't thereby cause disfigurement or kill the individual. But it was a threat to that individual. The dog officer control because of the law that they have on the books for the Town of Chesterfield was able to then have that dog euthanized because it was then considered a dangerous dog. Meaning that their classification or definition of a dangerous dog refers to any type of animal that is a threat to any human or other animal in the city or in the town. And that it doesn't have to be classified a dangerous dog by causing serious injury meaning that an animal or person is killed or disfigured. So in closing to the Common Council, that we talk to John Clute about what other cities or townships have in their ordinances to make it clear. Because the

police right now when I spoke to them we had our dog attacked for the second time on our street on Couch Street and all they can enforce right now, because it's not deemed aggressive, is a violation that the dog was out of the control of the owner meaning up to a \$250 fine which is not significant. The dog I found out is still at home with the owner. It's not muzzled they're not mandated to walk it with a muzzle. And New York State law the statute says within 5 days of an incident it has to come in front of the judge. And that dog even if it's not deemed "aggressive" has to then be muzzled and walked and there has to be appropriate measures to be taken including fines. So I'd like the Common Council to consider looking at this and I'd be glad to research and help as much as I could.

Andrew Golt 17 Couch Street spoke about the same issue as his wife Carol Klepper had and he showed the Council photos of his Pekinese dog who was attacked by a neighbors Rottweiler dog.

Mayor Kasprzak said John Clute was contacted by your wife and I will follow up with him.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves Carrie Baker to hold "Kids Night Out" at the City Recreation Center to benefit the Plattsburgh High School Gymnastics team on Friday, May 17, 2013 from 5pm – 8pm.

By Councilor Tiffer; Seconded by Councilor Rabideau
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the Municipal Lighting Department be permitted to proceed with the write-off of unpaid final bills for the period December 1 to December 31, 2011 in the amount of \$1,054.87.

By Councilor Jackson; Seconded by Councilor Carpenter
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the following on the "Rehabilitation of Mead Reservoir Dam project;" rejection of bids, CHA options for project cost reductions and an RFP for consulting services to evaluate alternatives to the project.

By Councilor Calnon; Seconded by Councilor Jackson
Discussion:

Councilor Jackson said I would like to have a special work session preferably on a Tuesday night if at all possible to discuss some alternatives. Because this is a pretty big deal.

Councilor Carpenter said all of us.

Councilor Jackson said yes all of us. I don't think this is something that just the Infrastructure committee should be working on. I think every Councilor should be here because this is a big deal. And when Jon is ready to come forward with his recommendations I'd like to have a discussion work session.

Mayor Kasprzak said I'm sure Jon will keep us informed and then provide the information that you mentioned and then will schedule a work session.

Councilor Jackson said just curiosity wise, Keith, I guess just through public notice. I don't want to wait until the next Council meeting. What's the ahead of time public notice, Keith?

City Clerk Keith Herkalo said we need 5 days plus publication lead time.

Councilor Carpenter said so you think Jon might have the answers in 2 to 3 days.

Councilor Jackson said no. The thing is we've got to kind of decide what we want to do.

Councilor Carpenter said I'm just wondering timetable because you said you don't want to wait until the next meeting which is in 2 weeks.

Councilor Calnon said no I think he was talking about Committee meetings. The discussions we've had are that there's some fairly large and complex decisions that need to be made and probably would lend itself to being a single topic work session that would take a considerable amount of time. In fact I think I would have absolutely no problem replacing that instead of another committee on a particular Thursday just so we have the time to devote to it. Because I think it's pretty important that we all get a chance to spend some time talking about this particular issue. Just the finances alone are major.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves MLD to Advertise for sealed bid for PMLD BID No. 2013-3-2 "Sale of Salvaged & Scrap Materials." Bid opening date: May 7, 2013 at 11:00am.

By Councilor Jackson; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves MLD to Advertise for sealed bid for PMLD BID No. 2013-3-3 "Sale of Surplus 2.4/4.16 KV-120/240V Transformers." Bid opening date: May 7, 2013 at 11:00am.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. ADOPTION OF POLICY ON RELEASE OF CO BORROWERS ON CITY LOANS

The proposed policy for considering requests from co borrowers on city loans to be released from liability upon transferring their interest in property subject to a city mortgage, as set forth in a report to the Common Council from the Corporation Council dated March 21, 2013 which is made a part of the minutes of this meeting, is hereby adopted.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. AUTHORIZATION TO SIGN RELEASE OF LIABILITY ON CITY LOAN

The Mayor is authorized to sign a release of liability on City HRLF loan #42 in favor of the co borrower who transfers his (her) interest in said property to the other co borrower.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to write-off property taxes for 2013 in the amount of \$837.58 that were billed to the tax exempt property at 73 Cornelia Street, owned by the Plattsburgh Housing Authority. The property became fully tax exempt through a change in government subsidization on December 1, 2010, and as a fully exempt property it should not have been billed for property taxes thereafter. The

documentation attached to these meeting minutes confirms the change in taxable status and the amount incorrectly billed and to be written-off from collection for 2013.

By Councilor Rabideau; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to close the following Capital Projects:

H5110.17 "2007 Smith-Weed/Web Island Bridge Project"

H5110.28 "2009 General Street Resurfacing Project"

H5110.31 "2010 Public Service Equipment Replacement Project"

H5110.32 "2011 Public Service Equipment Replacement Project"

H5110.35 "2011 Eco Docks Project"

H8320.62 "2007 Filtered Water Storage Tanks Project"

These projects have been designated as finished by the City Engineer and/or the Environmental Engineer. Applicable funding is in place.

By Councilor Jackson; Seconded by Councilor Rabideau

Discussion:

Councilor Carpenter said I just have a quick question for Rich. 6 projects how did they all do compared to what we had budgeted for them?

City Chamberlain Richard Marks said with the closing of this we came in under.

Mayor Kasprzak said that is one of the recommendations that the original auditor provided to us before many of you were here when Rich was just hired. And we followed the recommendation closing these projects out which should always be done.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Kasprzak to attend the NYCOM 104th Annual Meeting in Saratoga Springs, NY from May 5 - 7, 2013 at an estimated cost not to exceed \$1,000.

By Councilor Calnon; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves City Engineer Kevin Farrington to attend the "New York State Planning Federation Annual Conference" in Saratoga Springs, NY from April 22 – 23, 2013 at an estimated cost not to exceed \$284.

By Councilor Tiffer; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION: NONE

10. NEW BUSINESS:

Councilor Carpenter said last week the Records committee met. It was actually I thought a pretty productive meeting but one of the things we discussed was the street drives. We didn't actually come to an agreement there was a little bit of a disagreement in what to do. But, I think we all want to make it fair for anyone who wants to get on these street drives. One of the things that I propose was to give each person this year who has a street drive a value, a number of 3, everyone who had one last year a 2, everyone who had one the year before a 1. And then next year we will pick a cutoff date. And whoever wants to sign up we'll put their value and we'll assign them by the lowest number. So what we're doing is penalizing the people who have had the most recent street drives and we're allowing those people who have not had one or who will not have one for a long time a chance to get in by rotating like that I think it is fair to everyone involved. One of the issues that we couldn't come to an agreement on was what to do with a nonprofit that's actually centered outside of the city. I would not want to stop those nonprofits from being able to raise money in here because some of them even though they are centered outside the city they have residents who are part of that nonprofit who are taxpayers here. So for me I could see to penalize someone from outside the city; if they're outside the city and they're not represented by a city resident give them a value of 1. So then we're still favoring nonprofits who haven't gone in the last 3 years and who are centered inside the city of everyone. It just makes, for me, for a more fair rotation for everyone involved. One other thing that was brought up was the Farmers Market and I kept explaining we're not dealing or talking with the Farmers Market. But it was a bit of a hot bedded issue everyone wanted to talk about it for some reason. Other than that everything went good. Rich was talking about moving forward with the time clock and hooking it up to the systems that we have there.

Councilor Rabideau said the opposite side of the coin we weren't in total agreement with there were other options that were discussed. Such as a lottery option having people chosen out of a lottery type of forum was mentioned. Let me explain, we don't have a problem on the committee, and I don't know if you guys

probably you don't either, but a recognized charity such as the Cancer Society, Muscular Dystrophy. There's no problem with those type of organizations because they're a recognized charity throughout the state, throughout the county and so forth. The discussion got in to people who are outside Plattsburgh utilizing the city streets to collect. For instance, if somebody is from Beekmantown collecting for some hockey group and utilizing our streets I kind of have a problem with that. Because when I questioned Mr. Herkalo he stated there were 4 people local, I believe one of them was the Middle School PHS local schools, that were blacked out because someone from outside the city was collecting for their non for profit good. I'll give you another example, say someone's collecting for a snowmobile group from Saranac, I don't feel that they should be utilizing the city streets in the City of Plattsburgh, that was my feeling that I mentioned, and black out someone who is from the middle school an organization that is a non for profit let's say some hockey group or whatever it might be. And their blacked out from using city streets city taxpayers going to city schools and a group from outside the city is collecting on our city streets. I had a problem with that and I don't really think that's fair, personally. Why not collect in their own area, if their collecting. If it's Beekmantown collect in Beekmantown. And allow our people to have a chance to collect within the City of Plattsburgh. So that's part of the discussion that we had and I'm only mentioning it because I felt bad for the local groups such as Middle School PHS not to have the chance to be on our street. Because right now it's first come first serve. So I think we need to set some kind of standard where who is eligible. But, again recognized charities I mean I don't think anybody has a problem with recognized charities. The ones that we've had; Alzheimer's and so forth, the March of Dimes all the other ones that we've had are recognized charities. I don't think there's a problem with that. I think that's one of the discussions we had back and forth on so I just wanted the other side of our committee discussion to be mentioned since it involves street drives.

Mayor Kasprzak said so is there any recommendation coming from the committee?

Councilor Rabideau said I don't believe we have any recommendation because we have opposite sides.

Councilor Carpenter said we have disagreement so we will have to work on that at our next meeting. But we just wanted to inform you about what's been going on. It's not the kind of thing that timeliness we have to do now because we're not changing what happened this year. So for the street drive issue we just got to have it figured out by next year so it's not like we don't have the time to do it.

Councilor Calnon said if I may suggest. There is a way to combine the 2 things that you guys talked about and that could be an overriding issue that we would only allow street drives to groups that do provide a significant service to the city residents. So if it was somebody who was totally outside the city in terms of service we would just say no. We would obviously include in that the kind of global things that you talked about some of the major charities that do work everywhere. Even things like County something because if it provides services universally that's a possibility and I'm just saying that's something we should consider and take a look at. But the compromise that I would talk about is maybe turn around what you kind of both said. And maybe one of the things you do is say ok you get a point if you're located in the city. Maybe you get a second point if you provide services in the city. Maybe you get up to 3 points if you haven't been here in the last 3 years kind of the opposite of what you did. So let's suppose you're a charity that has 4 points you get 4 tickets in the drawing, George's who only has 1 point gets 1 ticket and then your lottery at that point. Would then give preference to someone who met our preferences. And so maybe that something to think about in the committee as a way to kind of balance the two issues.

Councilor Jackson said I'd like that idea. Because I immediately, George I know that you are talking about MS and Muscular Dystrophy and all those. And they're absolutely worthwhile but I think organizations like Elmore SPCA do so much for this community. To me I prefer to keep it to local rather than national fund raisers. So to me I like your idea of coming up with if it's located in the city, if it serves the local community so on. And you get a number of tickets like the basketball draft lottery.

Councilor Rabideau said we did discuss Elmore SPCA. And we have an agreement with the city with Elmore SPCA so there is an advantage of Elmore SPCA with the city. And there's a mutual advantage so I guess you would realize that in with your suggestion.

Councilor Calnon said and there's actually nothing wrong with the Council preselecting some. There are some of these organizations that are here every year that we might want to have them here every year. Elmore might be one of them I'm not saying that they are but we might very well say look yeah we're going to have 8 street drives but we're going to reserve 2 of them for people we want to be back here every year. It's possible; lots of things to talk about in the committee and these are just ideas they're not by any means a stance.

Councilor Rabideau said there's 11 street drives presently and he staggers them every second week. There are a lot of people that are upset with street drives period, but, to me I think your point system is a good way to look at it and it's a good suggestion to consider.

Councilor Jackson said I will tell you I only give to charities that where the vests. If they're not wearing the vest they don't get anything from me.

Councilor Carpenter said one other thing that was brought up and it was pretty much agreed by everyone is that and it came from Desi. Is that we probably should have a cut off of 18 for being in the street because at 16 you're not really able to make your own decisions by someone else. And he was a little bit leery of having someone under 18 being in the streets collecting money. He thought that's something we should consider whether we wanted to do or not which to me that made a little bit of sense.

Councilor Calnon said I think we should keep that as part of the discussion. But I also think we want to be careful there are some youth groups that do use this quite a bit and they made need some adequate supervision guide lines to let some of them.

Councilor Carpenter said well that's the question if you got the supervision and the confirmation from the parents that's a different thing.

Councilor Calnon said I was treasurer of Babe Ruth League for a few years and I felt that the kids were inadequately supervised and I think we need to seriously look at how that's done and what the guarantees are. Because best of intentions for people being able to supervise their children they don't always make.

Councilor Carpenter said for me it comes down to liabilities. It's different having an adult or an underage person out there.

Councilor Calnon said I agree.

Councilor Jackson said I know the City Democratic committee is holding a meeting on April 9th to talk about candidates. And to be fair to that committee, and I know a lot of people around the table already know this, but I will make it official that I will not be running for a third term.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Jackson
(All voted in the affirmative)
MEETING ADJOURNED: 6:05pm

JOHN E. CLUTE, ESQ.
CORPORATION COUNSEL
CITY OF PLATTSBURGH

121 Bridge Street
Plattsburgh, New York 12901

tel: 518-563-4884
fax: 518-563-5845
email: john@cctlaw.com

March 21, 2013

to: Mayor and Council

from: John E. Clute

re: release of co borrower from liability on City loans

We have been asked to give a release of liability to the spouse of a City HRLF loan borrower who is jointly liable on a Note and Mortgage to the City. The borrowers are or soon will be divorced. The husband will retain ownership of the home. This is a common issue in divorces. It is my impression that banks generally will not grant releases unless they remain well secured. Similar considerations should apply to releasing borrowers from city loans. We do not have a formal policy on such matters and this request provides an occasion for adopting one. I recommend the policy should be:

Release of Co Borrower from liability on City Loans

The City of Plattsburgh will consider releasing a borrower from liability on a City Loan when the following conditions are met:

1. This policy applies only to loans co signed by individuals and not to loans made to business entities (corporations, limited liability companies, partnerships).
2. The person who is released must transfer his interest in the property.
3. Title to the property must remain in the name of one of the original borrowers.
4. The owner's equity in the property must be not less than 3x the outstanding balance of the City loan. Equity is determined by subtracting the outstanding balance of all loans that are liens against the property from the tax assessed value of the property. A current title search and loan balance statements from lenders may be required.
5. There must a satisfactory loan payment history.
6. The borrower who will remain liable on the loan must have sufficient income to make the loan payment and pay all reasonable and necessary living expenses. A statement of monthly income and expenses may be required from the borrower.
7. The cost of any title searches and preparation a loan release must be paid by the borrower.

Present Case.

- The following information is from Ken Primard, Housing Specialist.
- Property is located on Main Mill Street. Assessed value is \$287,000.
- Loan no. HRLF # 42; original principal amount \$50,000; loan made in 2004; current city loan balance \$8,000 (approximate).
- First mortgage loan balance \$8400 (approximate).
- Owner Equity \$161,000; approximately 20x city loan balance.
- No adverse loan payment history.

Recommendation.

It is recommended that the Mayor be authorized to sign a release from liability for one of the co borrowers on HRLF loan #42, all costs to be paid by borrower.

Resolutions for Next Common Council meeting:

ADOPTION OF POLICY ON RELEASE OF CO BORROWERS ON CITY LOANS

The proposed policy for considering requests from co borrowers on city loans to be released from liability upon transferring their interest in property subject to a city mortgage, as set forth in a report to the Common Council from the Corporation Council dated March 21, 2013 which is made a part of the minutes of this meeting, is hereby adopted.

AUTHORIZATION TO SIGN RELEASE OF LIABILITY ON CITY LOAN

The Mayor is authorized to sign a release of liability on City HRLF loan #42 in favor of the co borrower who transfers his (her) interest in said property to the other co borrower.



PLATTSBURGH HOUSING AUTHORITY

4817 S. Catherine Street • Plattsburgh • NY • 12901-3778 • 518-561-0720 • fax: 518-561-1769 • www.phaplattsburgh.com

March 20, 2013

Richard Marks
City Chamberlain
6 Miller Street
Plattsburgh, NY 12901

Dear Mr. Marks:

Per our email discussion on 2/25/13, enclosed please find the original copy of 73 Cornelia Street 2013 County Tax Levy.

Thank you for handling the write off process for us.

Sincerely,

Jean Etesee
Accountant

PLATTSBURGH HOUSING AUTHORITY

JE/lg
enc.

City Chamberlain
City of Plattsburgh
6 Miller Street
Plattsburgh, NY 12901

City of Plattsburgh, Clinton County New York

SCHOOL CODE	SEQUENCE NO.	PAGE NO.	ROLL SECT.	BILL NO.
503	637	1 OF 1	1	000858
FISCAL YEAR		WARRANT DATED	BANK CODE	SWIS CODE
1/1/2013 - 12/31/2013		1/10/2013		091300
ESTIMATED STATE AID				SEE REVERSE SIDE FOR MORE INFORMATION
CITY 2,892,880				FOR YOUR INFORMATION

Please see back for payment options and collection hours.

TAXES PAID BY	
REC'D BY & DATE	

091300 207.19-2-1
PLATTSBURGH HOUSING AUTHORITY
4817 SOUTH CATHERINE ST
PLATTSBURGH, NY 12901-2891

2-2009



**** ARREARS ARE OWED. ****
SEE NOTICE OF ARREARS ON BACK OF BILL

PROPERTY DESCRIPTION & LOCATION		YOU MAY BE ELIGIBLE FOR AN EXEMPTION ON FUTURE TAX BILLS, FOR INFO CALL: 563-7708			
TAX MAP NO.	091300 207.19-2-1	EXEMPTION	TAX PURPOSE	VALUE	EXEMPTION TAX PURPOSE VALUE
LOCATION	73 Cornelia St	MUN HSNG C	COUNTY	1,124,350	
DIMENSIONS	1.60 Acres	MUN HSNG C	CITY	1,262,800	
SCHOOL DIST.	Plattsburgh CSD				
PROPERTY CLASS	Apartment				
		THE ASSESSOR ESTIMATES THE FULL MARKET VALUE OF THIS PROPERTY AT:			
		THE UNIFORM PERCENTAGE OF VALUE USED TO ESTABLISH ASSESSMENTS IS:			
		THE ASSESSED VALUE OF THIS PROPERTY AS OF MARCH 1, 2012 WAS			

Senior Age Housing Units

LEVY DESCRIPTION	TOTAL TAX LEVY	% CHG PRIOR YEAR	TAXABLE VALUE ADJUSTED BY EXEMPTION	TAX RATE PER \$1000	TAX AMOUNT
City Levy	9,653,509	5.2	0.00	10.757208	0.00
County Levy	5,427,517	1.9	138,450.00	6.049727	837.58

TOTAL TAX 837.58
DUE BY: 4/14/2012

TAXPAYER'S COPY

City of Plattsburgh
Clinton County
New York

091300 207.19-2-1
PLATTSBURGH HOUSING AUTHORITY
4817 SOUTH CATHERINE ST
PLATTSBURGH, NY 12901-2891



Bill No: 000858

INSTALLMENT OPTION

DUE BY	AMOUNT
SEE COUPON	SEE COUPON

FULL PAYMENT

DUE BY	AMOUNT
4/14/2012	837.58

TAXES PAID BY	
REC'D BY & DATE	

☐ CHECK THIS BOX IF RECEIPT REQUESTED

Jean Etesse

From: Richard A. Marks <marksr@cityofplattsburgh-ny.gov>
Sent: Monday, February 25, 2013 1:49 PM
To: 'Derek Rosenbaum'; Jean Etesse
Cc: 'Carole Garcia'; 'Bell, Greg'
Subject: RE: Plattsburgh Housing Authority R.E. Taxes

Derek and Jean,

The tax exempt status on this parcel was received by the County RP Office from Derek's office by November 2nd, I believe, which was in time to exempt the parcel from all property taxes for 2013 and Derek included this exemption in the City property value file for the 2013 tax warrant.

However, the County RP Office didn't post the exemption in their property file until December 2nd, 2012, which was after the County tax roll was formalized and adopted in November leaving 73 Cornelia St. as taxable in the County tax warrant calculations.

When you review the bill that was sent, it reflects only County property tax and unfortunately I couldn't get that bill re-directed to my office before it was mailed.

So the City tax warrant contained the exemption and the County tax warrant did not, so the County taxes had to be billed to agree to the total taxes authorized in the total tax warrants issued by the County and City, combined.

The taxes are incorrectly billed and will be written-off as not collectible and not transferrable to the County.

Jean, please send the original tax bill to me for our file and we will process the write-off through the Common Council within the next month at the next available meeting.

Thank you,

RAM

Richard Marks
City Chamberlain
City of Plattsburgh
6 Miller Street
Plattsburgh, NY 12901
518-563-1680

From: Derek Rosenbaum [<mailto:rosenbaumd@cityofplattsburgh-ny.gov>]
Sent: Monday, February 25, 2013 1:15 PM
To: 'Jean Etesse'
Cc: Richard Marks
Subject: RE: Plattsburgh Housing Authority R.E. Taxes

Hi Jean,

I believe that the bill should not have been sent out. There were some issues with the county and the tax bill printers, so that may be the cause. I will check with Richard Marks and get back to you.

Richard, did this bill incorrectly get sent out because of the county issue?

-Derek
563-7708

From: Jean Etesse [<mailto:Jean@phaplattsburgh.com>]
Sent: Monday, February 25, 2013 11:27 AM
To: Derek Rosenbaum (rosenbaumd@cityofplattsburgh-ny.gov)
Subject: Plattsburgh Housing Authority R.E. Taxes

Hi-Derek-I just received a bill from the City Chamberlain for 73 Cornelia Street for a County Levy of \$837.58 for calendar year 2013. I thought we had resolved all the back payments, but it looks as though something slipped through the cracks. Can you let me know what we need to do with this? Thanks-Jean

03/21/2013 10:37
1427rmar

CITY OF PLATTSBURGH
REAL ESTATE TAX STATEMENT

PG 1
txtaxstm

PARCEL: 207.19-2-1

LOCATION: 73 CORNELIA ST

CURRENT OWNER:
PLATTSBURGH HOUSING AUTHORITY
4817 SOUTH CATHERINE ST
PLATTSBURGH NY 12901

CURRENT STATUS:
ACRES: 1.600
LAND VALUATION: 1,262,800
BUILDING VALUATION:
EXEMPTIONS: 0
TAXABLE VALUATION :

LEGAL DESCRIPTION:

DEED DATE:			BOOK/PAGE:		INTEREST DATE: 03/21/2013		
YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE	
	INST	CHARGE					
2013	RE-R	858					
	1	13 CNTYTX	209.41	209.41	.00	209.41	
	2	13 CNTYTX	209.39	209.39	.00	209.39	
	3	13 CNTYTX	209.39	209.39	.00	209.39	
	4	13 CNTYTX	209.39	209.39	.00	209.39	
			837.58	837.58	.00	837.58	
GRAND TOTALS			837.58	837.58	.00	837.58	

CLINTON COUNTY REAL PROPERTY OFFICE

137 Margaret Street Suite 210
Plattsburgh, New York 12901

Martine M. Gonyo, C.C.D.
Director
518-565-4760
FAX 518-565-4773
E-mail: gonyom@co.clinton.ny.us



November 1, 2012

RECEIVED

Mayor Donald Kasprzak
City of Plattsburgh
41 City Hall Place
Plattsburgh, NY 12901

DEC - 4 2012

CITY OF PLATTSBURGH
DEPT. OF ASSESSMENT

Dear Mayor Kasprzak:

Re: 091300 207.19-2-1
Plattsburgh Housing Authority

Section 550, Subd 7, Paragraph a of Real Property Tax law states an unlawful entry means an entry on the taxable portion of the assessment roll of the assessed valuation of real property which, except for provisions of section four hundred ninety, is wholly exempt from taxation.

In this particular case, parcel 207.19-2-1 should have been wholly exempt for the 2011 and 2012 city taxes.

We recommend that the information provided by the City of Plattsburgh Assessor be used to determine that no taxes are due for the 2011 and 2012 city taxes.

Sincerely,

A handwritten signature in cursive script that reads "Martine M. Gonyo".

Martine M. Gonyo, Director

/nmng

✓cc: Derek Rosenbaum, City of Plattsburgh Assessor

Tax Credit regarding 73 Cornelia Street
for Plattsburgh Housing Authority (PHA)

- The property located at 73 Cornelia St. was New York State subsidized until 12/1/2010. Until that point, this property had a taxable value of \$138,450.
- On 12/1/2010, the property located at 73 Cornelia St. became federally subsidized and thus became 100% exempt. However, the assessment roll was not corrected at that time and taxes have been incorrectly levied against the \$138,450 taxable portion of the property ever since 12/1/2010.
- PHA did not pay the Property & School Tax Bills in 2011 and 2012. The Assessment Rolls for 2010, 2011, and 2012 need to be corrected to show 73 Cornelia St. as being 100% exempt.
- The error on the Assessment Rolls is considered an unlawful entry according to RPTL Section 550(7)(a): “an entry on the taxable portion of the assessment roll or the tax roll, or both, of the assessed valuation of real property which, except for the provisions of section four hundred ninety of this chapter, is wholly exempt from taxation.”